

**Management Status of Open DFARS Cases**

	<u>12/31/01</u>	<u>2/15/02</u>	<u>2/28/02</u>	<u>3/8/02</u>	<u>3/14/02</u>
At Committee	7	6	2	2	2
DAR Staff Processing	10	15	16	17	12
At OIRA	1	1	3	2	2
Out for Public Comment	3	1	1	1	4
On Hold (OGC)	2	2	2	2	2
On Hold (Other)	<u>6</u>	<u>5</u>	<u>5</u>	<u>6</u>	<u>5</u>
Total	29	30	29	30	27

**DFARS Rules Published CY 02**

	<u>Proposed</u>	<u>Interim</u>	<u>Final</u>
Change Notice 20020129	1	0	4
Change Notice 20020314	1	2	3

**DFARS Cases Opened CY 02:** 7

**DFARS Cases Closed CY 02:** 8

7 Final Rules Published

1 Case Closed Without Action

**At Committee - 2**

- 2001-D011, Treatment of Proprietary Data Concerning Commercial Items (p) (Tasked PD&C committee 6/20/01; report to be prepared after public meeting)
- 2000-D306, Performance-Based Service Contracts Using Part 12 Procedures (i→f) (Tasked CS committee 2/13/02; report due 3/20/02)

**DAR Staff Processing - 12**

- 2002-D007, NAFTA Procurement Threshold (f) (Preparing request for DoD approval to publish, then to OIRA)
- 2002-D005, Foreign Military Sales Customer Involvement (p) (Preparing request for DoD approval to publish, then to OIRA)
- 2002-D002, Codification and Modification of Berry Amendment (i) (Preparing request for DoD approval to publish, then to OIRA)
- 2002-D001, Electronic Submission and Processing of Claims for Contract Payment (p) (DAR Council to discuss 3/20/02)
- 2001-D015, Patent Rights—Ownership by the Contractor (Large Business) (p) (Preparing request for DoD approval to publish, then to OIRA)
- 2001-D002, R&D Streamlined Contracting Procedures (p→f) (Preparing request for DoD approval to publish, then to OIRA)
- 2000-D028, Subcontract Commerciality Determinations (p→f) (Preparing request for DoD approval to publish, then to OIRA)
- 2000-D024, Utilization of Indian Organizations and Indian-Owned Economic Enterprises (i→f) (Coordinating with OSD SADB, then to OIRA)
- 2000-D020, Balance of Payments Program (p→f) (Ready for publication)
- 2000-D018, Changes to Profit Policy (p→f) (Preparing request for DoD approval to publish, then to OIRA)
- 2000-D014, Ocean Transportation by U.S.-Flag Vessels—Simplified Acquisition Threshold (p→f) (Preparing request for DoD approval to publish, then to OIRA)
- 1999-D028, Anticompetitive Teaming (p→f) (Considering withdrawal of proposed rule)

**At OIRA - 2**

- 2002-D003, Competition Requirements for Purchases from a Required Source (i) (Sent to OIRA 2/7/02)
- 2001-D017, Competition Requirement for Purchases of Services under Multiple Award Contracts (p) (Sent to OIRA 3/5/02)

**Out for Public Comment - 4**

- 2001-D018, Performance of Security Functions (i) (Comment period ends 5/13/02)
- 2001-D016, Partnership Agreement Between DoD and SBA (i) (Comment period ends 5/13/02)
- 2000-D029, Restriction on Contingent Fees for Foreign Military Sales (p) (Comment period ends 5/13/02)
- 2000-D023, Enterprise Software Agreements (p) (Comment period ends 4/1/02)

**On Hold (OGC) - 2**

- 2001-D013, Provisional Award-Fee Payments (p) (Awaiting Fiscal Counsel input)  
(On hold since 10/24/01)
- 1990-037, Incremental Funding, Fixed-Price Contracts (i→f) (On hold since 4/5/94)

**On Hold (Other) - 5**

- 2001-D014, Military Extraterritorial Jurisdiction Act (p) (Awaiting information from OUSD(P&R) since 12/5/01; advised P&R 1/4/02 that we will close the case if we have no response by 7/3/02)
- 2001-D010, Applicability of the Cost Principles (p) (Pending publication of FAR Case 2001-018)  
(On hold since 9/5/01)
- 2001-D003, Geographic Use of the Term "United States" (p) (Pending publication of FAR Case 1999-400) (On hold since 7/26/01)
- 1999-D303, Institutions of Higher Education (i→f) (Pending direction from OUSD(P&R))  
(On hold since 6/6/00)
- 1992-D024, Demilitarization (p→p) (Pending revised Demilitarization Manual from DLA)  
(On hold since 6/5/97)

**(p) = *Proposed rule***

**(i) = *Interim rule***

**(f) = *Final rule***

**(p®f) = *Finalizing proposed rule***

**(i®f) = *Finalizing interim rule***

**DFARS Rules Published CY 02**

**Change Notice 20020129:**

2001-D019, Switzerland—Implementation of Amendment to MOU (f)

2000-D302, Caribbean Basin Country End Products (f)

2000-D027, Tax Exemptions (Italy) (f)

2000-D023, Enterprise Software Agreements (p)

1997-D314, Veterans Employment Emphasis (f)

**Change Notice 20020314:**

2002-D006, Restriction on Acquisition of Vessel Propellers (f)

2001-D018, Performance of Security Functions (i)

2001-D016, Partnership Agreement Between DoD and SBA (i)

2001-D007, Preference for Local 8(a) Contractors—Base Closure or Realignment (f)

2001-D006, DoD Pilot Mentor-Protege Program (f)

2000-D029, Restriction on Contingent Fees for Foreign Military Sales (p)

**DFARS Cases Merged or Closed Without Action CY02**

2002-D004, Miniature and Instrument Ball or Roller Bearings – No DFARS changes needed